

REMARKS

Reconsideration of this application is requested. Claims 1-9 and 13-16 are in the case.

I. PRIORITY

The specification has been objected to as not containing a proper cross reference to the underlying PCT International Application. The specification has been amended at page 1 before the first line thereof along the lines suggested by the Examiner.

II. DECLARATION

The Declaration has been objected to as allegedly indefinite in not giving the full names of the Applicants. This objection is respectfully traversed. The full names of each of the four Applicants are set forth in the Declaration. There are no middle initials for each of the four Applicants. Withdrawal of this objection is accordingly respectfully requested.



III. ABSTRACT

A new Abstract is presented on a separate sheet attached to this response. The format as suggested by the Examiner at the end of paragraph 4 has been adopted. No new matter is entered.

IV. TITLE

The title has been objected to as allegedly not descriptive. In response, a new title along the lines suggested by the Examiner has been presented.

V. CLAIM OBJECTIONS

Claim 8 has been objected to for the reasons stated in paragraph 6 on page 4 of the action. The following comments are offered.

The Examiner asserts that a bracket is missing at line 27 on page 130. It is not seen where any objection arises with respect to the compound named at this point on page 130. Clarification is requested.

The spelling of "phenoxyphenyl" has been corrected at line 31 on page 131. "N,N-Dimethylphenyl" at line 7 on page 136 has been amended to read "N,N-

Dimethylaminophenyl". The counterpart disclosure at page 111, lines 31-34 has been corrected.

The missing parenthesis at line 35 on page 137 has been inserted. A counterpart correction has been made at page 120, lines 16-17 (Example 111).

Review of Claim 8 has revealed that the compound at page 136, lines 25-27 is the same as the compound at page 136, lines 19-21. The latter recitation of the compound has accordingly been deleted.

Claims 10-12 have been objected to under 37 C.F.R. 1.75(c) as allegedly of improper dependent form. In response, and without conceding to the merit of this rejection, Claims 10-12 have been canceled without prejudice.

Claim 13 has been objected to in view of the formalities outlined in paragraph 8 on page 5 of the action. In response, Claim 13 has been amended to correct the informalities.

Withdrawal of the outstanding claim objections is now believed to be in order. Such action is respectfully requested.



VI. THE 35 U.S.C. 112, FIRST PARAGRAPH, REJECTIONS

Claims 1 and 14 stand rejected under 35 U.S.C. 112, first paragraph, for the reasons stated in paragraphs 9 through 11 of the Action. In response, Claims 1 and 14 have been amended to meet these rejections. The following comments are offered.

Claim 1 stands rejected under 35 U.S.C. 112, first paragraph, on the ground that the specification allegedly does not provide enablement for any "fused 5- or 6-membered saturated rings containing 1 or 2 oxygen atoms." In response, without conceding to the merit of the Examiner's position, the language "a fused 5- or 6-membered saturated ring containing 1 or 2 oxygen atoms" has been canceled and replaced by "1,3-benzodioxolyl." Withdrawal of this rejection is now respectfully requested.

Claim 1 is rejected on alleged lack of enablement grounds with respect to alkyl groups of infinite length or aromatic groups of unlimited number of rings. In response, with regard to the definitional language at line 5 of page 127 (R¹² and R¹³), mentioned by the Examiner, the C_{1.6} range also applies to the acyl and alkylsulfonyl groups. The definition of R¹² and R¹³ has been amended accordingly.



In the last line of page 126, objection has been made that the size of the "aryl" group and the length of the carbon chain associated with "acyl" is not specified. In response, "aryl" is defined at page 4, line 9 of the specification as including phenyl and naphthyl groups. The intention was for the alkyl groups recited at page 126, line 11 to contain 1-6 carbon atoms (see page 126, line 9). Claim 1 at page 126, line 11 has been amended accordingly. As regards the "acyl" definition, the intention is that the range of 1-6 applies to the carbon chain associated with the acyl moiety.

Claim 14 stands rejected under 35 U.S.C. 112, first paragraph, on alleged lack of enablement grounds with regard to the reactions contemplated by the "penultimate" line on page 139. From the comments appearing in paragraph 11 of the action, it is believed that the Examiner intended to refer to the "pre-penultimate line" on page 139 rather than the "penultimate" line which refers to removal of protecting groups. In response, and without conceding to the merit of this rejection, Claim 14 has been amended to delete "• converting one or more functional groups into a further functional groups".

Withdrawal of the outstanding 35 U.S.C. 112, first paragraph, rejection is now believed to be in order. Such action is respectfully requested.



VII. THE 35 U.S.C. 112, SECOND PARAGRAPH, REJECTIONS

Claim 14 has been objected to in view of the language "fused 5- or 6-membered saturated ring containing 1 or 2 oxygen atoms." In response, it is believed that no objection arises with respect to this language. However, in order to expedite prosecution and without conceding to the merit of the Examiner's position, this language has been canceled without prejudice from Claim 1.

Claim 1 has been objected to in view of the second recitation of "C₂₋₆ alkenyl." In response, this has been amended to read "C₂₋₆ alkynyl." Basis appears at page 2, line 12.

Claim 1 stands rejected as being allegedly indefinite in view of the use of the word "acyl" in the last line on page 126 and in the fifth line on page 127. As noted earlier, the intention is that the range of 1-6 applies to the carbon chain associated with the acyl moiety.

Claim 2 has been objected to as indefinite in not providing definitions for the substituents. In response, Claim 2 has been amended so as to be dependent on Claim 1.



Claim 4 has been rejected in view of the recitation "C_{3.8} alkyl." In response, this has been amended to read C_{1.6} alkyl. Support for this amendment appears at page 126, line 13.

Claim 10 stands rejected as allegedly indefinite in view of the use of the word "therapy." In response, and without conceding to the merit of this position, Claim 10 has been canceled without prejudice. Claims 11 and 12 have also been canceled without prejudice.

Claim 13 stands rejected as allegedly indefinite. In response, Claim 13 has been amended to include the word "of" after "treatment" and to include the word "compound" before "according."

Claim 13 is not indefinite with respect to the disorder being treated. The specification provides an extensive discussion relating to the use of the compounds as P_{2T} receptor antagonists. This begins at page 12, line 24 and extends through to page 14, line 11. Given this disclosure, a person of ordinary skill in the art would have no difficulty in carrying out the method as claimed in this application. Withdrawal of the rejection of Claim 13 is accordingly respectfully requested.

Claim 14 has been rejected as not providing the definitions of compound substituents. In response, Claim 14 has been amended so as to refer back to Claim 1.

Claim 14 has been objected to in view of the phrase "protected derivatives." This rejection is respectfully traversed. A person of ordinary skill would have no difficulty in understanding what protected derivatives are contemplated in the synthesis of compounds according to the process of the invention, particularly in view of the disclosure of protecting groups at page 6 line 23-to page 7 line 12 of the specification. Withdrawal of this rejection is accordingly respectfully requested.

VIII. OTHER AMENDMENTS

During review of the specification, some minor typographical errors were noted. At page 20, line 28, "d)" has been replaced by "c)", at page 44, line 5, "1.41" has been replaced by "1.31", and at page 90, line 32, "332g" has been replaced by "332mg". In addition, new method of treatment claims 15 and 16 have been presented, based on the disclosure at pages 12 and 13 and original claims 11-12. No new matter is entered.

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VIII. ALLOWABLE SUBJECT MATTER

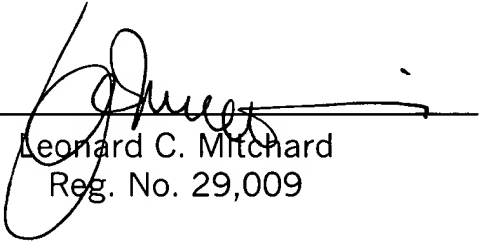
It is noted, with appreciation, that Claims 3-9 are free of the prior art and will be allowable once the formal matters have been resolved. In light of the amendments and arguments presented above, it is believed that all of the claims in this application are now in allowable condition.

Allowance of the application is respectfully requested.

Respectfully submitted,

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